



COLORADO

**Division of Private
Occupational Schools**

Department of Higher Education

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Lorna Candler
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NOTICE

To: Accredited Schools

From: Lorna Candler, Director, Division of Private Occupational Schools

Date: April 21, 2014

Re: State Authorization

Many accredited schools have been concerned about whether the Colorado Department of Higher Education Colorado, Division of Private Occupational Schools (DPOS) meets federally mandated state authorization regulations necessary to ensure that our State approved schools continue to remain eligible to meet federal requirements necessary to receive Title IV funds. I am writing this letter to inform you that the Colorado legislature recently enacted a statutory change to meet federal compliance requirements for state authorization as set forth in 34 CFR 600.9 (a) and (b). In conversations with the U.S. Department of Education last spring, they identified a concern with Colorado's statutes because the previous provision governing minimum standards permitted the Board to use accreditation as a means of meeting the majority of the minimum standards. (See C.R.S. section 12-59-106(2). As the U.S. Department of Education confirmed that removing the aforementioned language would satisfy the relevant federal requirements, the Colorado legislature and governor approved the Division's proposed legislation to strike the non-complaint language contained in C.R.S. section 12-59-106(2). For your reference I have attached a link to the Act addressing the necessary statutory revision:

SB14-149:

http://www.leg.state.co.us/clics/clics2014a/csl.nsf/fsbillcont3/7C8A5D3BEF439DB287257C68007E64CA?open&file=149_enr.pdf



Our understanding, based on federal guidance and confirmation issued through the U.S. Department of Education, is that the above referenced statutory changes ensure the Board and Division of Private Occupational Schools holds the authority required for federal approval of schools authorized by the State. Specifically, the Division has sufficient oversight required for our Board/Division to determine whether an institution is legally authorized to offer postsecondary occupational education in the State of Colorado. Provided a school continues to meet the revised minimum standards of the Private Occupational Schools Act, the school will meet state authorization requirement that ensure our State approved schools continue to remain eligible to meet federal approval necessary to receive Title IV funds.

If you have any additional questions or concerns, please contact me directly.

Sincerely,
FOR THE PRIVATE OCCUPATIONAL SCHOOL BOARD

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Director
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cc: Heidi Deneen, Senior Assistant Attorney General
Sophia McArdle, Ph.D., U.S. Department of Education, Office of Postsecondary Education

